

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

THE EMPLOYEE BENEFITS
ADMINISTRATION COMMITTEE, For
and On Behalf of Northwestern Energy
Flexible Compensation Plan and Its
Component Plan the Health Benefit
Plan for All Active Employees of
Northwestern Corporation, d/b/a,
NorthWestern Energy

Plaintiff,

vs.

ALASKACARE RETIREE HEALTH PLAN,

Defendant.

4:21-CV-04119-KES

ORDER GRANTING JOINT
MOTION TO DISMISS

The parties in the above-captioned case jointly move to dismiss this case with prejudice to the extent the complaint is based on acts or omissions occurring before November 23, 2021, and is otherwise dismissed without prejudice, with each party to bear its own costs, expenses, and attorney's fees and other expenses incurred in connection with this action, except to the extent expressly provided otherwise in the parties' settlement agreement. Docket 24. Thus, it is

ORDERED that the plaintiff's complaint is dismissed with prejudice to the extent the complaint is based on acts or omissions occurring before November 23, 2021, and is otherwise dismissed without prejudice, with each

party to bear its own costs, expenses, and attorney's fees and other expenses incurred in connection with this action, except to the extent expressly provided otherwise in the parties' settlement agreement.

Dated December 8, 2021.

BY THE COURT:

/s/ Karen E. Schreier

KAREN E. SCHREIER
UNITED STATES DISTRICT JUDGE